



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,857	09/05/2000	Marc Lamberton	FR9-1999-0061US1	8194

45211 7590 11/02/2005

KELLY K. KORDZIK  
WINSTEAD SECHREST & MINICK PC  
PO BOX 50784  
DALLAS, TX 75201

EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2152

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/654,857

Applicant(s)

LAMBERTON ET AL.

Examiner

Chad Zhong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### OFFICE ACTION

1. In view of the appeal brief filed on 08/31/2005, PROSECUTION IS HEREBY REOPENED.

New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

2. The disclosure is objected to because of the following informalities:

It is not clearly indicated where [356] exists on the figures (pg 11, line 26); Appropriate correction is required. Examiner did not receive a copy of this figure.

### *Claim Analysis*

Claim 1 calls for a client-server environment, a method for providing transparency in a gateway of an IP network comprising steps of:

interrogating a directory comprising proxy server protocol data for each end-user of said IP network;  
retrieving parameters associated with a proxy server protocol data for a first end-user in response to an access request from a client application of said first end user;

Art Unit: 2152

accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end user;

relaying data between said client application and said application server.

The following is a list of terms which are defined within Applicant's specification as well as the Examiner's interpretation thereof.

a) *Proxy server protocol data*, the term is defined within specification pg 10, line 10, i.e. 'SOCKS', however, the Applicant does not go on to further define what is SOCKS. In a related prior art, SOCKS protocol version 5, RFC 1928, teaches sockets are part of the SOCKS protocol in the bind operation, to establish communications between client and server (pg 5-6, BIND, 3<sup>rd</sup> paragraph). Moreover, socket is defined in the Microsoft Computer Dictionary 5<sup>th</sup> Edition as "an identifier for a particular service on a particular node on a network. The socket consists of a node address and a port number, which identifies the service". For the purposes of the present examination, the examiner will interpret the Proxy server protocol data as sockets.

b) *parameters*, the term is never specifically defined within the Applicant's specification, a few examples where an attempt to define parameters are found in pg 11, lines 20-29 wherein parameters are seen as version numbers or authentication parameters. Microsoft Computer Dictionary 5<sup>th</sup> Edition teaches parameters as "value that is given to a variable, either at the beginning of an operation or before an expression is evaluated by a program", for the purposes of present examination, the examiner will interpret parameters as values/variables.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2152

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-2, 4, 6-7, 9, 11-12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ganguly et al., (hereinafter Ganguly), US 2003/0212863.

5. As per claim 1, Ganguly teaches a client-server environment, a method for providing transparency in a gateway of an IP network comprising the steps of:

interrogating a directory (Fig 3, item 312; Fig 9; item 900) comprising proxy server protocol data for each end-user of said IP network (Fig 9, item 900; [0125-0126]);

retrieving parameters (Fig 9, item 904-914) associated with a proxy server protocol data for a first end-user in response to an access request from a client application of said first end-user ([0030-0031], parameters are requests by the clients; [0040], predicates that make sense out of query; [0049]; [0126-0127], where the predicates are matched up with the values on the Backend Configuration Table of Fig. 9).

accessing an application server on behalf of said client application in accordance with said retrieved parameters for said first end-user ([0049]; [0127]).

relaying data between said client application and said application server ([0039]).

6. As per claim 2, Ganguly teaches the step of creating, in said gateway of said IP network, a directory including entries for every end-user on said IP network ([0014]; [0030-0031]; Fig 4, item 404; Fig 7, item 700).

7. As per claim 4, Ganguly teaches wherein the step of retrieving parameters associated with proxy

Art Unit: 2152

server protocol data for said first end-user includes the steps of:

obtaining leading data from said client application having issued said request for said end-user ([0017], leading data is the request/query/predicate);

parsing said leading data ([0030], request analyzed to determine a predicate used to index directory cache);

determining a protocol said client application is currently using ([0005]);

interrogating said directory at an entry corresponding to said first end-user ([0039]; [0126-0127]);

retrieving parameters associated with said request ([0040]; [0049]; [0126]); and

executing said protocol in accordance with said parameters associated with said protocol ([0040-0041]; [0127]).

8. As per claims 9 and 14, claims 9 and 14 are rejected for the same reason as the rejection to claim 4 above.

9. As per claims 6 and 11, claims 6 and 11 are rejected for the same reason as the rejection to claim 1 above.

10. As per claims 7 and 12, claims 7 and 12 are rejected for the same reason as the rejection to claim 2 above.

### **Claim Rejections - 35 USC § 103**

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2152

12. Claims 3, 8, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganguly et al., (hereinafter Ganguly), US 2003/0212863, in view of Aravamudan et al. (hereinafter Aravamudan), US 6,301,609.

13. As per claim 3, Ganguly teaches the step of updating, in said gateway of said network, the directory of said end-users, said step of updating the directory including the steps of:

updating said entries of said end-users comprising dynamic parameters whenever said parameters are changing while connected ([0043], predicate logic table is updated as new searches is queried by the user).

Ganguly does not explicitly teach:

enabling entries for those of said end-users that connect; and

disabling entries for those of said end-users that disconnect.

However, Aravamudan teaches:

enabling entries for those of said end-users that connect (Col. 2, lines 40-49); and

disabling entries for those of said end-users that disconnect (Col. 8, lines 1-30).

Wherein system of Aravamudan discloses of a proxy chat system where the users' online status information are stored in a remote centralized repository, this is important in a chat system to maintain user's privacy and making sure the contact list has updated information. Therefore, It would have been obvious to combine the teachings of Ganguly and Aravamudan because teaching of Aravamudan to allow user connection status would improve the interface of Ganguly by maintain the connection status of end user devices and notify said user of the current system status (Aravamudan, see for example, Col. 7, line 60 – Col. 8, line 5).

14. As per claims 8, 13, claims 8, 13 are rejected for the same reasons as rejection to claim 3 above.

15. Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganguly et

Art Unit: 2152

al., (hereinafter Ganguly), US 2003/0212863, in view of Banavar et al. (hereinafter Banavar), US 6,662,206.

16. As per claim 5, Ganguly does not explicitly teach the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established.

However, Banavar teaches the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established (Col. 2, lines 27-40; Col. 1, lines 55-67; Col. 8, lines 1-10). It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ganguly and Banavar because the teaching of Banavar to allow the step of informing said end-user of said client application that a server application is unavailable if a link to said application server is not established would improve the failure analysis for Ganguly's system by monitoring the link in a real time basis to detect any potential link failures (Banavar, Col. 2, lines 1-5).

17. As per claims 10 and 15, claims 10 and 15 are rejected for the same reason as the rejection to claim 5 above.

### ***Conclusion***

18. Applicant's remarks filed 12/13/04 have been considered but are found not persuasive in view at the new grounds at rejection necessitated by Applicant's amendment.

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "System and method for improving gateway transparency".



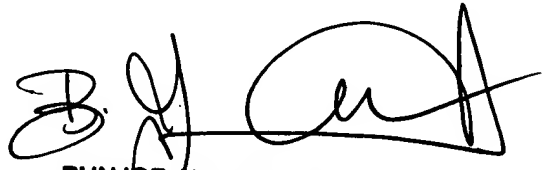
Art Unit: 2152

- i. US 2002/0059429 Carpenter et al.
- ii. US 6,529,937 Murphy, Jr. et al.
- iii. US 5,740,361 Brown.
- iv. US 6,058,480 Brown.
- v. US 6,078,943 Yu.
- vi. US 2003/0140153 Lawrence.
- vii. US 6,061,692 Thomas et al.
- viii. "Address Allocation for Private Internets" RFC 1597, March 1994
- ix. US 6,477,577 Asano.
- x. US 5,699,350 Kraslavsky.
- xi. US 5,845,255 Mayaud.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAROENCHONWANIT, BUNJOB can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**BUNJOB JAROENCHONWANIT**  
**PRIMARY EXAMINER**

Application/Control Number: 09/654,857

Page 9

Art Unit: 2152

CZ

October 20, 2005